

My Name _____
Address _____
City, State, Zip _____
Phone _____
E-mail _____

I am the ☐ Plaintiff
☐ Attorney for the Plaintiff and my Utah Bar number is _____

JUSTICE COURT OF DAVIS COUNTY

800 West State Street, Courtroom 2

PO Box 618, Farmington, Utah 84025

Phone: 801-451-4488

Plaintiff

v.

Defendant

And

Defendant

Motion to Enter Interpleader Default Judgment

Case Number _____

Judge Jerald L. Jensen

Instructions: Attach the following:

- ☐ Continuation pages (If any, completing paragraphs that don't have enough space. Write the paragraph number on the continuation page.)
- ☐ Proof of Service (showing that defendant was served with the Affidavit and Summons)
- ☐ Military Service Declaration
- ☐ Proposed Military Service Order
- ☐ Proposed Judgment

☐ By and through my attorney, (Attorney, check here if you are appearing for your client.)

(1) I move for entry of default judgment.

(2) _____ (name of defaulting defendant):

(A) ☐ Has failed to appear for trial;

(B) ☐ Is not a minor or an incapacitated person; and

(C) ☐ Was served with the Affidavit and Summons in accordance with the Rules of Small Claims Procedure and the Proof of Service is attached.

(3) (Select one.)

☐ (A) _____ (name of defendant)
is the ☐ buyer ☐ seller who breached our Real Estate Purchase Contract, and I am entitled to specific performance, so buyer is entitled to the return of the earnest money.

OR

☐ (B) _____ (name of defendant)
is the **BUYER** who breached our Real Estate Purchase Contract, and I am entitled to damages in the amount of the earnest money.

OR

☐ (C) _____ (name of defendant)
is the **SELLER** who breached our Real Estate Purchase Contract, and I am entitled to damages in the amount of double the earnest money.

(4) The amount of the earnest money in the Real Estate Purchase Contract is
\$_____.

(5) The court should enter Judgment in favor of _____
(name of defendant) in the amount of \$_____.

I have not included any non-public information in this document.

I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.

Date _____ Sign here ► _____

Typed or printed name _____